RAJYA SABHA

Wednesday, the 5th December, 2007/14 *Agrahayana,* 1929 *(Saka)*

The House met at eleven of the clock,

MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

Allegations on labour issues in BALCO

*281. SHRI MOHAMMED AMIN:††
SHRI PRASANTA CHATTERJEE:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Ministry of Mines has forwarded allegations pertaining to labour related issues in the Bharat Aluminium Company Limited (BALCO) as stated in the report titled "Impact of Privatisation on Labour: A Study of BALCO Disinvestment' by V.V. Giri National Labour Institute for inquiry; and

if so, whether the inquiry has been completed?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES): (a) and (b) A Statement is laid on the Table of the House.

Statement

(a) Yes, Sir.

(b) The Study Report published by a researcher in V.V. Giri National Labour Institute does not mention any specific cases of violation of labour laws; on this point no further action was, therefore, considered necessary. There have however been comments in the study about the payment of VRS and post VRS support.

SHRI MOHAMMED AMIN: Sir, part (a) of my supplementary is, when is the summary of the report titled "Impact of Privatisation on Labour : a Study of BALCO Disinvestment", published by V.V. Giri National Labour Institute says, "Majority of the voluntary retired workers testify that they had to undergo several direct and indirect pressurisation tactics prior to their agreement to the voluntary separation scheme, during a phase of growing insecurities and ambiguities at the workplace.", then how does the hon. Minister say that the report is not specific about violation of labour-related issues as per the Shareholders' Agreement between the Government and the Sterlite?

Sir, part (b) of my supplementary is, whether the Ministry has seen the report of Council on Ethics, the Government Pension Fund—Global, Government of Norway, which specifically mentioned labour rights violation in BALCO by Sterlite Industries Limited, a subsidiary of Vedanta Resources, as reasons for dropping the said companies from sovereign wealth fund? If so, why the Government is not taking any action for cancellation of the Shareholders' Agreement with Sterlite.

The question as actually asked on the floor of the House by SHRI Mohammed Amin.

SHRI OSCAR FERNANDES: Sir, whatever VRS has been given, it has been given on the basis of applications submitted by the employees. There seems to be a lot of inconvenience caused to the employees naturally; the Delhi office employees were transferred to Chhattisgarh, and they were given a feeling that everything was not okay for them and they were asked for the VRS. But going by the figures of people who have accepted VRS, it looks, people who were very senior in service got the VRS and not all the employees who asked for VRS got the VRS. Twenty-three employees who asked for VRS were not given the VRS. About 1302 people who asked for VRS were given the VRS. Out of that, 1281 were given VRS in instalments which was not a correct thing. But there was nothing in the Agreement that it should not be given. It is not a good practice to give VRS in instalments. They gave VRS in instalments of six months. But, Sir, when the Study Report came, the whole matter was over. The second stage of disinvestment is pending. and if there is anything to be done, it is for the Government to consider at this stage. But the first-stage agreement is over. It is implemented, and, I think, it is only for consideration at the second stage.

SHRI MOHAMMED AMIN: Sir, what we are experiencing in BALCO is a bitter result of privatisation. Here is a report which says, and, I quote, "Accusations against the company include labour rights violations, intimidation and harassment of workers, as well as forced eviction of tribal peoples from their villages. BALCO is criticised for deplorable wage conditions and, in part, for dangerous working conditions at the Mainpat and Bodai-Daldali bauxite mines. Moreover, the company is accused of harassing striking workers and illegally cutting down 50,000 trees in connection with the expansion of the Korba project."

प्राइवेटाइज करने के बाद, वे लोग मनमानी करते हैं और गवर्नमेंट कुछ देखती नहीं है। अगर यह चलता रहा ...(व्यवधान)...

श्री सभापति: सवाल पूछिए।

श्री मोहम्मद अमीन: महोदय, मैंने सवाल तो पहले ही पूछा है, लेकिन कोई ...(व्यवधान)...

श्री सभापति: जवाब देने दीजिए।

श्री मोहम्मद अमीन: सर, स्पेसिफिक एलिगेशन है कि उनके ऊपर दबाव डाला जाता है कि 'तुम पैसा लो नहीं तो तुम्हे निकाल देंगे'। वे लोग क्या करेंगे, बोलिए?

SHRI OSCAR FERNANDES: Sir, what the hon. Members has mentioned is true to a great extent as far as the facilities to be given to the people living around the factories are concerned. They were to be given power they were to be given regular water supply. All these have been taken note of and it is very much there in the report. Action needs to be taken, if certain facilities are to be given to the villagers as a matter of privilege, they should be restorted.

SHRI PRASANTA CHATTERJEE: Sir, in view of the study report entitled. "Impact of Privatisation on Labour", the study of BALCO disinvestment and published by the V.V. Giri National Labour Institute, as well as the report of the Norway Government, will the Government think it necessary to institute a parliamentary enquiry committee to enquire into the allegations of labour rights violations and human rights violations as also the damage caused to environment by the subsidiaries of Vedanta Resources? Will the Government think about that?

SHRI OSCAR FERNANDES: Sir, the matter falls under the jurisdiction of the Chhattisgarh Government. Earlier, it was a Central Government undertaking. Now it is under the administration of the State of Chhattisgarh. We will convey the concern of the Members to the Chhattisgarh Government.

SHRI ROBERT KHARSHIING: Sir, I would like to join my colleague from Bengal in enquiring again from the Minister whether his department has enquired into the recent blacklisting of this particular company by the Government of Norway, and also whether the Empowered Group of the Supreme Court has also issued strictures against these companies, Vedanta Resources and Sterlite. May I know from him whether it is true that our hon. Finance Minister was an Executive Director of the Sterlite Company?

SHRI OSCAR FERNANDES: Sir, I am not aware whether any of our Ministers were members of the Board of this particular company. I do not know what authority Norway has got over the Indian affairs. India is capable of dealing with problems within the country. Of course, if somebody highlights an issue that is genuine, it will be looked into and action taken.

श्री रूद्रनारायण पाणि: सभापति महोदय, मैं नॉल्को से आता हूं और बॉल्को और नॉल्को एक दूसरे से रिलेटिड हैं। जिस राज्य में नॉल्को है, वहां वेदांत और स्टर्लाइट आदि आ रहे हैं। महोदय, मैं आपके माध्यम से मंत्री महोदय से यह जानना चाहता हूं कि जो study group बनाया गया था, उसमें जो-जो सदस्य थे, क्या उनके बारे में माननीय मंत्री जी कुछ खुलासा करेंगे? क्या उस study group के माननीय सदस्य ने note of dissent दिया था, असंतोष का कोई पत्र दिया था। क्या इसके बारे में मंत्री जी कुछ खुलासा करेंगे? महोदय, मेरे प्रश्न का 'b' part यह है कि क्या workers को VRS लेने के लिए मज़बूर किया जाता है, बाध्य किया जाता है? क्या उनको VRS लेने के लिए धमकी दी जाती है, उन लोगों को धमकी दिए जाने के भी कई उदाहरण हैं। क्या मंत्री महोदय के पास कोई जानकारी है कि वर्कर्स को VRS लेने के लिए धमकी दी जाती है? सर, उनको VRS दिए जाने के बाद जो रिक्तियां होती हैं, उनकी भरपाई के लिए, to fill in those vacancies, सरकार के पास क्या उपाय है? वहां पर जो ठेके के श्रमिक वर्षों से काम करते हैं, उन्हीं के आधार पर मुनाफा होता है, जो रिक्तियां होंगी या हो रही हैं, उन ठेके के मजदूरों में से रिक्तियां भरने के लिए क्या सरकार सोच रही है? ...(**व्यवधान**)...

श्री सभापति: सवाल पूछिए।

श्री रूद्रनारायण पाणि: सर, सवाल यह है कि जिन एम्पॉअज को VRS दे दिया जाता है, उनके बेटे, बेटियां वहां के आस-पास के समाज में जन्म लेते हैं और वहीं बढ़ते हैं। सर, नॉल्को की मेरे पास प्रत्यक्ष अनुभूति है और जो VRS पाने वाले, श्रमिक, मजदूर या अधिकारी हैं, उनके स्थान पर क्या उनके बेटे-बेटियों को नौकरी के लगाने के लिए, क्या सरकार के पास कोई व्यवस्था है?

SHRI OSCAR FERNANDES: Sir, what the hon. Member has said is a fact. After offering VRS, the company is resorting to contract labour and this is a matter not only concerning this particular company, but this is a matter taking place in many of the organised sector undertakings. We are concerned about it and we have been discussing this issue in the National Labour Conference. In the last Labour Conference, it was a very important item, which we discussed and we will have to definitely find a solution. But the mechanism that we have is a tripartite mechanism. We are discussing this issue and finding out whether employees who have put in certain number of years as contract labour could be given permanent jobs in concerns. We are going into this particular aspect.

श्री सभापति: पाणि जी आपका सवाल हो गया। अमर सिंह जी, आप पूछिए।

श्री अमर सिंह: धन्यवाद सभापति महोदय। मैं मंत्री जी से जानना चाहूंगा कि क्या यह सत्य है कि बॉल्को ने सिर्फ 1.3 मिलियन डॉलर Political Awareness Trust" बना कर इसको फंड करने का काम किया है? यह जो श्रम

विरोधी काम कर रहा है, चाहे वह जंगलों का हो, चाहे वह जबर्दस्ती की छटनी हो, ये सारी की सारी गतिविधियां जानकारी होने के बावजूद इस कम्पनी को, जिसका बड़े-बड़े लोगों से सम्पर्क जगजाहिर है, ब्लैकलिस्ट करने के लिए क्या कदम उठा रहे हैं?

SHRI OSCAR FERNANDES: Sir, under the agreement, after takeover, for one year, there is a provision that nobody should be retrenched and there has not been any retrenchment other than punishments or things like that. It is only after one year the employees were given the option of VRS. Even those employees who opted for VRS were the ones who were very senior, and those who were given two-months compensation or rather the rate of compensation was two months' salary per year of service. And those who were really benefited opted for the VRS. There would have been lot of pressure, but the employees resisted that pressure and they did not opt for VRS. On the contrary, there were 23 employees who opted for VRS, but the company did not given them VRS because the company felt that their services were required in the company to run it. This is the position.

श्री अमर सिंह: माननीय मंत्री जी, मैंने आपसे यह पूछा है कि श्रमिकों को पैसा देने की बजाय बाल्को ने 1.3 मिलियन यूएस डॉलर "Political and Awarness Trust" बना कर श्रमिकों का पैसा, शेयरहोल्डर्स का पैसा वहां दिया है और यह ट्रस्ट, जिसे बाल्को ने बनाया है-वेदान्त, इस ट्रस्ट को फंड करता है। कृपया इसके बारे में बताएं।

SHRI OSCAR FERNANDES: I am not aware of this particular information. I will obtain it and provide it to our hon. Member.

Criteria for conferring 'Classical Language' status

*282. SHRI JANARDHANA POOJARY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the criterial for conferring 'Classical Language' status on a language;

(b) the number of Indian languages conferred the status so far and the languages identified for the purpose;

(c) whether there is demand for conferring the 'Classical Language' status on Kannada and Tulu and inclusion of Tulu and Kodava languages in the Eighth Schedule of the Constitution; and

(d) if so, the details in this regard and Centre's reaction thereto?

THE MINISTER OF HOME AFFAIRS (SHRI SHIVRAJ V. PATIL): (a) to (d) A Statement is laid on the Table of the House.

Statement

(a) The following criteria have been laid down for according classical status to a language:—

(i) High antiquity of its early texts/recorded history over a period of 1500—2000 years.

(ii) A body of ancient literature/texts, which is considered a valuable heritage by generations of speakers.

(iii) The literary tradition be original and not borrowed from another speech community.

(iv) The classical language and literature being distinct from modern there may also be a discontinuity between the classical language and its later forms or its offshoots.